UNITED STATE DISTRICT COURT
DISTRICT OF RHODE ISLAND

C.B., a minor, by and through **SHERI BARLOW** and **EARL BARLOW**, as parents and natural guardians, **Plaintiff**	:	
v.	:	**C.A. No. 14-381-S-PAS**
TOWN OF NORTH PROVIDENCE, by and through its Treasurer, **JUSTIN CAMBIO, MELINDA A. SMITH,** and **JOAN PICCARDI, Defendants**	:	

PLAINTIFF'S RULE 16 CONFERENCE STATEMENT

I. Introduction

Now comes the Plaintiff and hereby submits the within Rule 16 Statement as required pursuant to this Court's Pretrial Conference Notice dated October 16, 2014. The Plaintiff reserves the right to modify, amend and/or augment the within statement at any time during the course of these proceedings.

II. Facts of Case

In September, 2013, C.B. began school at Centredale Elementary (the "School") in North Providence, Rhode Island. While enrolled at the School, the Plaintiff was frequently harassed, bullied, and physically and sexually assaulted by other students at the School. This conduct worsened throughout the 2013 academic school year. In September, 2013, C.B.'s mother and father complained, verbally and in writing, to Defendants Joan Piccardi ("Piccardi"), the School's Principal, and Melinda A. Smith ("Smith"), the Superintendant of Schools, about the harassment, bullying, and assaults. Defendants Piccardi and/or Smith failed and/or refused to take any remedial action to prevent the student-on-student harassment, bullying, and assaults. As a result, the harassment and threats towards C.B. continued, and, in fact, increased in both frequency and severity. In January, 2014, the Plaintiff was physically and sexually assaulted by other students while on School grounds. During the altercation, the other students threatened to "kill" the Plaintiff if the he reported the incident to School officials. On account of his injuries and because he feared for his safety, the Plaintiff stopped attending the School and was compelled to transfer to another school district.

III. Legal Issues

A. Whether the acts and/or omissions of the Defendants were in violation of 42 U.S.C. §1983, Title IX of the Education Amendments of 1972 ("Title IX") 20 U.S.C. §1681, and Article I, §2 of the Rhode Island Constitution?

B. Whether the Plaintiff sustained damages as a result of the Defendants' violation of 42 U.S.C. §1983, Title IX, and Article I, §2 of the Rhode Island Constitution?

C. Whether the acts and/or omissions of the Defendants were negligent?

D. Whether the Plaintiff sustained damages as a result of the Defendants' negligence?

Plaintiff,
By his Attorneys,
FORMISANO & COMPANY, P.C.

/s/ Michael D. Pushee
Michael D. Pushee (#6948)
100 Midway Place, Suite 1
Cranston, RI 02920-5707
(401) 944-9691
(401) 944-9695 (facsimile)

CERTIFICATION

I hereby certify that the within document has been electronically filed with the Court on this 20th day of October, 2014 and is available for viewing and downloading from the ECF system.

/s/ Michael D. Pushee